

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Art Unit 1642; Assistant Commissioner for Patents, Washington, D.C. 20231, on January 17, 2002.

PATENT
Attorney Docket No.: 014058-009810US
Client Ref. No.: CX-98-0028

TOWNSEND and TOWNSEND and CREW LLP

By: Annette S. Parent

Annette S. Parent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Cheever et al.

Application No.: 09/493,480

Filed: January 28, 2000

For: HER-2/NEU FUSION PROTEINS

Examiner: J. Hunt

Art Unit: 1642

AMENDMENT

Art Unit 1642
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office Action mailed July 17, 2001, please reconsider the application in view of the following amendments and remarks. A petition to extend the time for response for three months, from October 17, 2001 to January 17, 2002, is submitted herewith. Please amend the application as follows.

IN THE SPECIFICATION

Please amend the specification at page 6, lines 14-17, as follows:

Figure 17 illustrates the results of an ELISA assay for HERCEPTIN® Her-2/neu antibody binding to different ECD-PD fusion proteins produced either in mammalian